



PTO/SB/21 (09-04) (AW 10/2004)

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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number	10/644,307
Filing Date	August 20, 2003
First Named Inventor	Mark Dennis Aler et al.
Art Unit	3753
Examiner Name	John K. Ford
Attorney Docket No.	ITFT-PBG104US

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form
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Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm Name	RatnerPrestia		
Signature			
Printed Name	Joseph E. Maenner		
Date	September 22, 2005	Registration No.	41,964

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Appln. No: 10/644,307
Applicant: Mark Dennis Aler et al.
Filed: August 20, 2003
Title: FLUID HEAT EXCHANGE CONTROL SYSTEM
TC/A.U.: 3753
Examiner: John K. Ford
Confirmation No.: 6030
Docket No.: ITFT-PBG104US

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
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S I R :

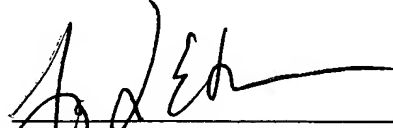
This is in response to the Restriction Requirement stated in the Office Letter dated **August 23, 2005**.

The Examiner requires that claims of either Group I or Group II be elected for prosecution. Applicants elect to prosecute Group I, claims 1-9. This election is made without traverse.

Further, the Examiner requires that a single species of Group I be elected if no generic claim is finally held to be allowable. The Examiner currently believes that elected claim 1 may be generic with regard to how much of the control system is common to Figures 1-3. Further, the Examiner stated that the claims are directed to patentably distinct species of inventions, namely: first species of Figure

1; second species of Figure 2; and third species of Figure 3. Applicants elect the first species, with claims 1-9 being readable on the first species. This election is made without traverse.

Respectfully submitted,



Robert P. Seitter, Reg. No. 24,856
Joseph E. Maenner, Reg. No. 41,964
Attorneys for Applicants

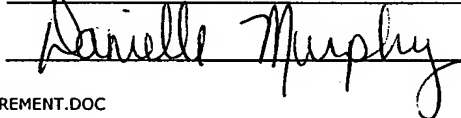
JEM/dlm
Dated: September 22, 2005

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